

Schedule (1) Nature of the Action and Basis of Jurisdiction

This is a civil action arising from alleged age discrimination which seeks compensatory and statutory liquidated damages and injunctive relief for wrongful discharge of a **then 62 year old engineer** employed by defendant railroad for over 14 years.

The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1331, 1343, and 1367; the Age Discrimination in Employment Act, 29 U.S.C. § 621 *et seq.* (“ADEA”);¹ and the Pennsylvania Human Relations Act (“PHRA”), 43 P.S. § 953 *et seq.* The claims arose in this judicial district. Jurisdiction is not disputed.

¹The Defendant Railroad employed more than twenty employees during each year from 1997 to 2000.